IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 9344 of 2004

Between:

1 M/s. Tirumala Electrical Works, rep by its Managing Partner
A.V. Ramana Prasad, S/o. Chandraiah, aged 35 years,
R/o. H.No. 3-4-29/1, Bangalpet, Nirmal - 504 106, Adilabad District.

2 M/s. Jagadamba Electrical Works, Rep by its Proprietor Sri A. Chandrasen,
S/o. Chandraiah, aged 32 years, R/o. H.No. 3-4-29/1, Bangalpet,
Nirmal- 504 106, Adilabad District.

3 M/s. Sree Raja Rajeshwara Electricla Engineering Works, rep by its
Proprietor Sri N. Raju, S/o. Hanmandlu, aged 35 years,
R/o. H.No. 3-4-29/1, Bangalpet, Nirmal - 504 106, Adilabad District.

4 M/s. Vinayak & Others Electrical Engineering Works, rep by its
Partner Sri Vinayak, S/o. Venkateshwar, aged 32 years,
R/o. Arli Village, Kallur Post, Kuntala Mandal, Adilabad District.

5 Sri M. Chinna Rajaiah, S/o. M. Lingaiah,
R/o. Rotiguda Village, Tapalpur Post, Jannaram Mandal, Adilabad District.

6 Sri M. Laxmaiah, S/o. M. Chinna Rajaiah,
R/o. Rotiguda Village, Tapalpur Post, Jannaram Mandal, Adilabad District.

..... PETITIONERS

AND

1 Northern Power Distribution Company Ltd., Andhra Pradesh, Warangal,
rep. by its Chief Managing Director

2 The Superintending Engineer (Operations), Northern Power Distribution

Company Ltd., Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ or order/direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in opening the tender covers without superscription of the term "accepted" in respect of the Tender Notice No. SE/OPN/NZB/04/2004-04 dated 24-3-2004 as illegal, arbitrary and against the terms and conditions of the Tender Notice and consequently direct the 2nd respondent to reject the tender covers which were not having the superscription of the acceptance on the cover and consequently direct the 2nd respondent to allot the tenders to the petitioners if they are eligible.

Counsel for the Petitioners: MR.P.GIRI KRISHNA

Counsel for the Respondents : MRS.M.VINOBHA DEVI (SC FOR AP TRANSCO)

The Court made the following :

O R D E R :

This matter had come up on 25.10.2004, but none appeared for the petitioners. Even today, when the matter has come up for hearing, none appears for the petitioners nor there is any representation on their behalf.

This Writ Petition is, therefore, dismissed for non-prosecution. No costs.

(B.Prakash Rao,J.)

08.11.2004

DRK

Copy to:

1 The Chief Manager, Northern Power Distribution Company Ltd., Andhra Pradesh, Warangal,

2 The Superintending Engineer (Operations), Northern Power Distribution Company Ltd., Nizamabad.